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7 *Attorneys for Plaintiff and Counter-Defendant*
SMC Construction Co.

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9 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

10 **SMC CONSTRUCTION CO., a Nevada**
11 **corporation,**

CASE NO.: 3:17-cv-00470-MMD-VPC

12 **Plaintiff,**
13 **vs.**

**EX PARTE MOTION TO
WITHDRAW AS CO-COUNSEL OF
RECORD AND REMOVE NAME
FROM CM/ECF SERVICE LIST
AND MASTER MAILING MATRIX**

14 **REX MOORE GROUP, INC., a California**
15 **corporation (designated a Nevada corporation in**
error); and DOES 1-5, inclusive,

16 **Defendants.**

17 **REX MOORE GROUP, INC., a California**
18 **corporation,**

19 **Counterclaimant,**

20 **vs.**

21 **SMC CONSTRUCTION CO., a Nevada**
22 **corporation; and EDGEWOOD COMPANIES, a**
23 **Nevada corporation,**

24 **Counter-Defendants.**

25 **Scott L. Hernandez, Esq. formerly affiliated with the law firm of Robison, Sharp,**
26 **Sullivan & Brust, the undersigned, respectfully submits this Ex Parte Motion to Withdraw as Co-**
27 **Counsel of Record and Remove Name from CM/ECF Service List and Master Mailing Matrix**
28 **requesting an entry of an order of this Court, in the form attached hereto as Exhibit 1, which**
permits (1) his withdrawal as co-counsel of record on behalf of Plaintiff/Counter-Defendant,

1 SMC Construction Co.; and (2) removes his name from the CM/ECF service list and master
2 mailing matrix in the above-captioned case.

3 Mr. Hernandez has previously appeared in this case as co-counsel of record on behalf of
4 Plaintiff/Counter-Defendant, SMC Construction Co., when he was affiliated with Robison,
5 Sharp, Sullivan & Brust. As of February 14, 2018, Mr. Hernandez accepted an employment
6 position outside of the law firm of Robison, Sharp, Sullivan & Brust and therefore must remove
7 himself from this case.

8 To correct the record, Mr. Hernandez respectfully requests that the Court enter an order,
9 in the form attached as Exhibit 1, which permits (1) his withdrawal as co-counsel of record on
10 behalf of Plaintiff/Counter-Defendant, SMC Construction Co.; and (2) removes his name from
11 the CM/ECF service list and master mailing matrix in this case.

12 DATED this 14 day of February, 2018.

13 ROBISON, SHARP, SULLIVAN & BRUST
14 A Professional Corporation
15 71 Washington Street
16 Reno, Nevada 89503

16 By: /s/ Scott L. Hernandez
17 KENT R. ROBISON, ESQ. – NSB #1167
18 SCOTT L. HERNANDEZ, ESQ. – NSB #13147
19 Attorneys for Plaintiff and Counter-Defendant
20 SMC Construction Co.

21 *Valerie P. Pober*
22 U.S. MAGISTRATE JUDGE
23 DATED: February 15, 2018
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EXHIBIT 1

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SMC CONSTRUCTION CO., a Nevada
corporation,

Plaintiff,

vs.

REX MOORE GROUP, INC., a California
corporation (designated a Nevada corporation in
error); and DOES 1-5, inclusive,

Defendants.

CASE NO.: 3:17-cv-00470-MMD-VPC

**ORDER GRANTING EX PARTE
MOTION TO WITHDRAW AS
CO-COUNSEL OF
RECORD AND REMOVE NAME
FROM CM/ECF SERVICE LIST
AND MASTER MAILING MATRIX**

No Hearing Required

REX MOORE GROUP, INC., a California
corporation,

Counterclaimant,

vs.

SMC CONSTRUCTION CO., a Nevada
corporation; and EDGEWOOD COMPANIES, a
Nevada corporation,

Counter-Defendants.

The Court having reviewed the Ex Parte Motion to Withdraw as Co-Counsel of Record
and Remove Name from CM/ECF Service List and Master Mailing Matrix filed by Scott L.
Hernandez, and good cause appearing

IT IS HEREBY ORDERED that Scott L. Hernandez, Esq., is permitted to withdraw as
co-counsel of record on behalf of Plaintiff/Counter-Defendant, SMC Construction Co.; and

1 IT IS FURTHER ORDERED that the Clerk will remove Scott L. Hernandez's name from
2 the CM/ECF service list and master mailing matrix in the above-captioned case.

3 DATED this _____ day of _____, 2018.

4 Submitted by:

5 ROBISON, SHARP, SULLIVAN & BRUST
6 A Professional Corporation
7 71 Washington Street
8 Reno, Nevada 89503

8 By: /s/ Scott L. Hernandez
9 KENT R. ROBISON, ESQ. – NSB #1167
10 SCOTT L. HERNANDEZ, ESQ. – NSB #13147

11 Attorneys for Plaintiff and Counter-Defendant
12 SMC Construction Co.
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CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of ROBISON, SHARP, SULLIVAN & BRUST, and that on this date I caused a true copy of the **EX PARTE MOTION TO WITHDRAW AS CO-COUNSEL OF RECORD AND REMOVE NAME FROM CM/ECF SERVICE LIST AND MASTER MAILING MATRIX** to be served on all parties to this action by:

_____ placing an original or true copy thereof in a sealed, postage prepaid envelope, in the United States mail at Reno, Nevada, addressed to:

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_____ personal delivery/hand delivery to:

X emailing an attached Adobe Acrobat PDF version of the document to the email addresses below/facsimile (fax) and/or E-Filing pursuant to Section IV of the District of Nevada Electronic Filing Procedures

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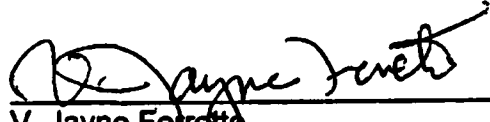
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21 *Attorneys for Counterdefendant Edgewood Companies*

22
23 Federal Express/UPS or other overnight delivery

24 DATED this 14th day of February, 2018.

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V. Jayne Ferrette
Employee of Robison, Sharp, Sullivan & Brust